



UNITED STATES MARINE CORPS

MARINE CORPS BASE

PSC Box 20004

Camp Lejeune, North Carolina 28542-0004

BO 1620.10C

CINSP
OCT 30 1998

BASE ORDER 1620.10C

From: Commanding General
To: Distribution List

Subj: CAMP LEJEUNE AREA ARMED FORCES DISCIPLINARY CONTROL BOARD

Ref: (a) MCO 1620.2B

Encl: (1) List of Members
(2) Duties of the President
(3) Procedures for Meetings

1. Purpose. To implement the guidelines of the reference and establish procedures for the operation of the Camp Lejeune Area Armed Forces Disciplinary Control Board.

2. Cancellation. BO 1620.10B.

3. Action. The mission of the Camp Lejeune Area Armed Forces Disciplinary Control Board, hereinafter called the Board, is to advise and make recommendations to the Commanding General concerning the correction of conditions which may adversely affect the health, safety, morals, welfare, morale, or discipline of military personnel. The Board will be governed in its operations and procedures by the reference and this Order.

4. Composition and Procedure

a. The Board shall be composed of members listed in enclosure (1).

b. The Commanding General, Marine Corps Base, Camp Lejeune, shall be the sponsoring commander for the Board and shall appoint the President of the Board.

c. The President of the Board shall be governed in the performance of his duties by the reference and enclosure (2) to this Order.

d. The board shall meet once a quarter in the months of January, April, July, and October and at such other times as the President of the Board may direct.

5. Duties and Functions

a. The Board shall conduct meetings as designated by the President. The decision as to whether the meetings will be opened or closed to the public is within the discretion of the President.

b. The Board will receive and take appropriate action in connection with all conditions detrimental to the good health, safety, morals, welfare, morale, or discipline of military personnel. This will include, but not be limited to, conditions involving the following:

- (1) Criminal activities or misconduct.
- (2) Narcotics, marijuana, dangerous drugs, and drug-abuse paraphernalia.
- (3) Liquor violations.
- (4) Gambling.
- (5) Military and civilian relationships that may be detrimental to military personnel.
- (6) Unsanitary or other adverse conditions in establishments frequented by military personnel.
- (7) Unethical or illegal business practices.
- (8) Prostitution and venereal disease.

(9) Discriminatory practices, to include the facilities and/or places in which meetings, rallies, and events of organizations which espouse or attempt to create discrimination, including, but not limited to, discrimination based on race, creed, color, sex, religion, or national origin are held.

(10) Fire, safety, or health hazards.

(11) Other undesirable conditions that may adversely affect members of the military or their families.

c. The Board shall conduct active liaison with appropriate civil authorities concerning problems or adverse conditions existing in the Board's area of interest.

d. The Board shall make appropriate recommendations to the Commanding General, Marine Corps Base, Camp Lejeune, concerning establishments and/or areas to be placed "off-limits" and the removal of "off-limits" restrictions.

e. The Board shall function under the supervision of the President of the Board. The procedure to be followed for the conduct of meetings and the processing and investigation of complaints is contained in enclosure (3).

6. Concurrence. This Order has been coordinated with and concurred in by the Commanding Generals, II Marine Expeditionary Force; 2d Marine Division, and the Commanding Officer, Marine Corps Air Station, New River.


B. A. GOMBAR
Chief of Staff

DISTRIBUTION: A

LIST OF MEMBERS

1. Membership shall consist of representatives from the following functional areas:

a. The Command Inspector, Marine Corps Base (President of the Board).

b. The Assistant Chief of Staff, G-7, 2d Marine Divison, or his designee.

c. The Assistant Chief of Staff, G-7, 2d Force Service Suport Group, or his designee.

d. Provost Marshal, Marine Corps Base, or his designee.

e. Provost Marshal, Marine Corps Air Station, New River, or his designee.

f. Head, Occupational Health and Preventive Medicine Department, Marine Corps Base, or his designee.

g. Consolidated Public Affairs Officer, or his designee.

h. Chaplain, Marine Corps Base, or his designee.

i. A representative of the Command Element as designated by the Commanding General, II Marine Expeditionary Force.

j. Establishment Coordination Inspector/Recorder, a judge advocate designated by the Staff Judge Advocate, Marine Corps Base, Camp Lejeune -- only non-voting member.

The three voting inspectors listed above shall be the normal representatives of the Safety, Equal Opportunity, Alcohol and Drug Abuse, Personnel and Community Activities functional areas required by MCO 1620.2B to be represented on the Board. However, where special expertise in any of those areas, or any other area, is deemed appropriate, the President may appoint, as non-voting members, the specific representatives deemed appropriate.

ENCLOSURE (1)

DUTIES OF THE PRESIDENT

1. Schedule the time, date, and place for the Board meetings and preside at those meetings.
2. Prepare an agenda prior to each meeting and ensure its distribution to each voting member at least seven days prior to the meeting.
3. Submit the Board minutes with recommendations, if any, to the Commanding General, via Staff Judge Advocate, for review and approval/disapproval by return endorsement.
4. Inform members of any special meeting and its purpose as far in advance as possible. Obtain unanimous consent from all members present before taking final action on any business for which the special meeting was not specifically called.
5. Supervise the recorder in the performance of administrative duties as required.
6. Publish lists of "off-limits" areas and establishments.
7. Notify appropriate civil officials of "off-limits" areas or establishments and request that they post a sign, on public property and in a conspicuous location, listing areas or establishments "off-limits" to military personnel.
8. Maintain appropriate records and files pertaining to Armed Forces Disciplinary Control Board activities.
9. Provide for timely inspections of affected businesses.

ENCLOSURE (2)

PROCEDURES FOR MEETINGS

1. General Considerations

a. The purpose of the meetings of the Board is to gather information and to formulate appropriate recommendations for the Commanding General concerning matters which may adversely affect the health, safety, morals, welfare, morale, or discipline of military personnel. "Off-limits" restrictions should be invoked only when there is substantive information indicating that an establishment or area frequented by military personnel presents conditions which adversely affect the health, safety, morals, welfare, morale, or discipline of such personnel.

b. No meeting of the Board may be conducted unless a quorum of voting members is present. A quorum is defined as two-thirds of the voting members.

2. Initiating Action

a. The Board may take action based upon complaints originating from any source including, but not limited to: individuals, the command, local or state agencies, or members of the Board.

b. Prior to initiating routine "off-limits" action, the command, through the President of the Board, will attempt to correct any situations which adversely affect the welfare of military personnel through contact with the community leaders.

c. Unless emergency conditions exist which are extremely harmful to military personnel, an establishment will not be recommended for "off-limits" action until the proprietor has been:

(1) Notified in writing by the President of the Board of the adverse condition/circumstances; and,

(2) Given an opportunity to be heard and a reasonable time in which to correct deficiencies.

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d. After the Board receives a complaint, the President or a designee will prepare and submit a report of findings and recommendations at the next meeting.

e. When the Board concludes that conditions adverse to military personnel do exist, the owner or manager will be sent a letter of notification by certified mail, or hand-delivered, advising the owner/manager to raise standards and that if such conditions or practices continue, "off-limits" proceedings will be initiated.

f. If the undesirable conditions are not corrected within a reasonable time, the owner/manager will be invited to appear before the Board to explain why the establishment should not be placed "off-limits." The proprietor may designate an individual to represent the establishment at the meetings. These proceedings shall not be adversarial in nature.

g. In cases where proprietors have been invited to appear, the President will perform the following actions:

(1) Prior to calling the proprietor:

(a) Review the findings and decisions of previous meetings.

(b) Call for inspection reports and testimony of witnesses.

(c) Afford an opportunity for Board members to ask questions.

(2) When the proprietor and/or the proprietor's counsel is called before the Board:

(a) Present the proprietor with a brief summary of the complaint concerning the establishment.

(b) Afford the proprietor an opportunity to present matters in defense of the allegation.

ENCLOSURE (3)

(c) Offer Board members an opportunity to question the proprietor and allow the proprietor to make any additional comments or statements.

(3) After excusing the proprietor from the meeting, the Board shall deliberate and formulate appropriate recommendations for the Commanding General.

(a) Recommendations will be formulated and voted upon by the Board in closed session. Only voting members shall be present during deliberations.

(b) Recommendations for any action shall be made by a two-thirds vote of the members present and voting.

3. Emergency "Off-Limits" action. When emergency conditions exist which are extremely harmful to military personnel, commanders may temporarily declare establishments or areas "off-limits" to military personnel subject to their jurisdiction. They must then report the circumstances immediately to the commanders sponsoring the Board. Detailed justification for the emergency action shall be provided to the Board which will act upon the matter on a priority basis.

4. Removal of "Off-Limits" Restriction

a. Removal of an "off-limits" restriction requires Board action. Proprietors of establishments declared "off-limits" should be advised of all their appellate rights.

b. When it has been determined that adequate corrective measures have been taken by the proprietor, the Board will take the following actions:

(1) Discuss the matter at the next meeting and make appropriate recommendations.

(2) Forward recommendations for removal of "off-limits" restrictions to the Commanding General.

ENCLOSURE (3)